

**REMARKS**

Claims 1 and 4-10 are pending in this application. By this Amendment, claims 1 and 7 are amended and claims 2 and 3 are canceled. In particular, the original features of claims 2 and 3 have been included in independent claims 1 and 7 and independent claims 1 and 7 have been further amended for clarity. Support for the amendments to the claims may be found, for example, at page 14, line 19 to page 15, line 7; page 16, lines 4-25; page 17, lines 10-25; page 18, lines 2-4; page 18, lines 14-24; and Figs. 6 and 17. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments incorporate features of pending claims 2 and 3 into the independent claims and clarifying revisions discussed during a November 15 telephone interview; (c) satisfy a requirement of form asserted in the previous Office Action and during the telephone conference; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Applicant appreciates the courtesies extended by Examiner Chen during the November 15 telephone interview. Applicant's separate record of the phone interview appears below.

Claims 1-10 are rejected under 35 U.S.C. §103(a) over Cheyer, U.S. Patent No. 6,851,215 in view of Tadokoro, U.S. Patent Application Publication No. 2002/0052796. Applicant respectfully traverses the rejection.

As discussed during the November 15 telephone conference, Applicant amends the claims to incorporate features from dependent claims 2 and 3 and for further clarity. As

indicated by the Examiner, these features appear to distinguish over the applied art. In particular, as admitted in the Office Action, Cheyer fails to disclose a service acquisition unit that acquires through services available to a user by using user information, wherein the user information includes the present state of the user at the time a service is executed, and is updated each time the service is executed, as recited in independent claims 1 and 7.

Tadokoro fails to overcome the deficiencies of Cheyer with respect to independent claims 1 and 7 as amended.

Tadokoro fails to disclose a service acquisition unit that acquires plural services available to a user by using the user information, wherein the user information includes the present state of the user at the time the service is executed, and is updated each time the service is executed, the present state of the user being determined by content of a restriction value table which indicates the services available to a user and the values of the user information is checked against the values of the restriction table, where plural services are retrieved based on the table as recited in claims 1 and 7.

Tadokoro teaches that the common information of state 134 is a table for storing information related to the services (including not only common services, but services classified by area and by cooperated company) used by all the users (Paragraph [0068]). According to Tadokoro, the common information of state 134 includes fields of user code 801, service code 802, corporated company user code 803, state code 804, and service providing time 805 (Paragraph [0069]). Thus, Tadokoro's table stores information related to services. Therefore, Tadokoro fails to disclose or suggest that the present state of the user is being determined by the content of a restriction value table which indicates the services available to a user and that the values of the user information is checked against the values of the restriction table, where retrieved services are based on the table, as recited in independent claims 1 and 7. Accordingly, Cheyer or Tadokoro, either individually or in combination, fail

to disclose all the features of independent claims 1 and 7. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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